



May 23, 2019

VIA CM/ECF

Honorable Andrew Baxter
U.S. Magistrate Judge
United States District Court
Northern District of New York
James M. Hanley Federal Building & U.S. Courthouse
100 S. Clinton Street
Syracuse, NY 13261

Re: RACER Trust et al. v. National Grid, et al., Case No. 5:18-cv-01267-DNH-ATB

Dear Justice Baxter:

We are attorneys for plaintiffs. We are writing to request an extension of the Northern District's 60 -day service deadline, embodied in Local Rule 4.1(b). As evidenced by the Docket and in compliance with your Scheduling Order (Docket No. 138), the Amended Complaint was filed on April 30, 2019. A Summons was not issued by the Clerk to the fourteen new defendants until May 13, 2019. Our office was in the process of preparing the documents for service this week and noticed that the Summonses for ten parties were not properly issued; the Clerk's stamp was missing as was the docket heading. The Clerk issued corrected Summonses yesterday on May 22, 2019.

We have mailed, *inter alia*, the Summons and Complaint with Requests for Waiver to thirteen¹ parties today, pursuant to FRCP Rule 4(d). The deadline for those parties to waive service is June 22, 2019, and our deadline to serve all parties is June 29, 2019 under Local Rule 4.1(b). We are concerned by the limited amount of time between the two deadlines, and wish to avoid serving parties that may wait until on or about June 22 to mail the Waivers us. We therefore request a 30-day extension of the 60-day deadline to serve all parties, until July 29, 2019, which is the 90-day time limit under FRCP Rule 4(m).

Thank you for your consideration.

Respectfully,

KNAUF SHAW LLP

Alan J. Knauf

Ec.: All Attorneys via CM/ECF

¹ One party has refused to unconditionally waive service.